

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA, ) CR No. CR 11-00857-LHK (PSG)

**Plaintiff,**

V.

JONATHAN JIANG,

**Defendant.**

CR No. CR 11-00857-LHK (PSG)

**[PROPOSED] ORDER EXCLUDING  
TIME UNDER THE SPEEDY TRIAL  
ACT AND RESCHEDULING STATUS  
CONFERENCE**

The defendant came before the Court for a status conference on February 22, 2012.

At that hearing, the matter was set for a status conference on April 25, 2012, at 10:00 a.m., before the Honorable Lucy H. Koh. By stipulation, filed separately, the parties have requested that the Court reschedule the status conference to May 30, 2012, to allow the parties to meet and discuss matters directly related to this case, and to exclude time under the Speedy Trial Act, Title 18, U.S.C., Sections 3161(h)(7)(A); (h)(7)(B)(I) and (h)(7)(B)(iv).

For the reasons set forth below, the Court grants both requests.

25 The parties have stipulated, and this Court finds, that the time between April 26, 2012,  
26 and May 30, 2012, is properly excluded under the Speedy Trial Act, Title 18, United States  
27 Code, Sections 3161(h)(7)(A); (h)(7)(B)(I) and (h)(7)(B)(iv). The parties represent, and this  
28 Court finds, that the this delay is necessary to allow the parties to meet and discuss matters

1 directly relating to this case. The parties agreed that the ends of justice served by granting the  
2 requested continuance outweigh the best interest of the public and the defendant in a speedy trial.

3 For the foregoing reasons, the Court HEREBY ORDERS the period between April 25,  
4 2012 and May 30, 2012, is properly excluded under the Speedy Trial Act, Title 18, United States  
5 Code, Sections 3161(h)(7)(A); (h)(7)(B)(I) and (h)(7)(B)(iv).

6 Based on the representation of counsel for the United States and the Defendant, the Court  
7 finds that the ends of justice served by granting the requested continuance outweigh the best  
8 interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal  
9 cases.

10 IT IS SO ORDERED

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12 DATED:

13 LUCY H. KOH  
United States District Judge

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Order Denying Stipulated Request

16 The parties' stipulated request is denied without  
17 prejudice. The parties' need to meet to discuss  
18 this case does not provide a sufficient basis  
19 for a finding of excludable time. Please provide  
20 more information about the need for a continuance.  
21 Time for plea negotiations and for consideration  
22 of a plea offer is not a sufficient basis for  
23 a finding of excludable time.

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Lucy H. Koh  
U.S. District Judge